



**First-string line-up:** Harpist Seána Davey helped to launch a new six-part music TV series called *TradFest: The Dublin Castle Sessions*, the first episode of which will air next Thursday on RTÉ Two.

PHOTO: MARK STEDMAN



## Weekend set to bring a contrast of sun and rain

Ralph Riegel

SUNSHINE and showers will dominate Irish weather for the next week, but the good news is that it will become milder.

Met Éireann's Gerry Murphy said conditions would remain unsettled through the weekend and into next week.

"[Today] will continue cool with plenty of sunshine. There will be scattered showers in the north and northwest which will extend southwards," he said.

"Highest temperatures will be 8C to 12C. [Tonight] will be mainly dry with clear spells and a few showers on northern coasts. Lowest temperatures will be between minus 2C and 2C.

"Friday will continue cool and there will be showers in Ulster, but many areas will be dry with sunny spells."

Saturday will start off wet before conditions improve later in the day.

He added: "On Saturday morning, rain will continue to spread northeastwards and will be heavy at times. It will clear to the northeast through the afternoon with showers following.

"Sunday will see some bright or sunny spells. Showers will become widespread and heavy and it will be mild, with highest temperatures of 12C to 15C."

# Some serious-injury awards set to increase under new guidelines, analysis reveals

Shane Phelan  
LEGAL AFFAIRS EDITOR

SOME awards for more serious injuries will actually increase under new guidelines approved by judges, the Personal Injuries Assessment Board (PIAB) has found.

While the vast majority of awards will be cut by anywhere between 31pc and 69pc, an analysis by PIAB found there would be some cases where small increases end up being applied. This is because the level of granular detail provided in the new guidelines will shift some injuries into a more serious category.

The finding came after PIAB conducted an exercise where it examined a sample of cases from 2020 where awards were accepted by both the claimant and the respondent under the old Book of Quantum system. It then compared these

awards with the likely award that would have been given under the new guidelines, which it has been using for assessments since April 24.

An example of an unexpected increase cited by PIAB operations manager Peter O'Brien was a case involving a serious shoulder injury, a fractured humerus.

General damages awarded in a case involving this injury under the Book of Quantum would have been €45,000.

But under the new guidelines, Mr O'Brien said the predicted award would be €50,000, an 11pc increase.

"That was one of the surprises we got when we went through this," Mr O'Brien told a PIAB webinar yesterday.

"The level of detail in the guidelines can lead to an increase in very serious cases like that."

However, the analysis indi-

cates such cases will be very much the exception, with significant cuts in awards across most categories of injury.

Another, more typical, case study involved a 27-year-old woman who was involved in a motor accident. She was still getting intermittent neck pain a year later, but with physio was expected to fully recover within 18 to 24 months of the accident. In her case an award of €13,000 was made under the Book of Quantum.

If it had been assessed under the new guidelines, she would have received €7,000.

Another example of the decreases to come involved a slip and fall fracture injury where recovery was expected after two years.

Under the Book of Quantum, the claimant, a 42-year-old man, received €25,000. Had the case been assessed under the new system, the award

would have been €10,000.

Speaking at the webinar, Robert Troy, the Junior Minister for Trade Promotion, said that as both PIAB and the courts would apply the new guidelines, parties to a claim would have greater certainty. He said it should also mean more cases would be resolved through PIAB and early settlements, cutting costs and time taken to settle claims.

Mr Troy said Sean Fleming, the junior minister responsible for financial services and insurance, had received assurances from insurance companies that "they will reduce premiums in response to these developments".

He said it was important that insurers, in settling claims, did not undermine the guidelines by paying more than the recommended amount to achieve a settlement and avoid litigation costs.

## AN BORD PLEANÁLA TRANSPORT (RAILWAY INFRASTRUCTURE) ACT 2001 (As amended and substituted) Application by Córas Iompair Éireann for a Railway Order

Córas Iompair Éireann (CIÉ) in exercise of its powers conferred upon it by section 37 of the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) will apply on or after the 14th May 2021 to An Bord Pleanála for a Railway Order pursuant to the provisions of the said Act.

The Railway Order, if granted, will authorise Córas Iompair Éireann to carry out railway works and all works necessary to enable CIÉ to eliminate and, where necessary, upgrade seven numbered level crossings and carry out all associated and ancillary works along a 24 kilometre section of the Dublin to Cork Railway Line as follows:

- XC187 – Fantstown – Closure of existing level crossing: Divert traffic along existing roads to existing overbridge approximately 3 kilometres to the north east;
- XC 201 – Thomastown – Closure of existing level crossing. New road-over-rail bridge. Tie into existing local road to south and new junction on Regional Road R515 to north;
- XC209 – Ballyhay – Upgrade existing level crossing to a 4-barrier CCTV controlled level crossing;
- XC211 – Newtown – Closure of existing level crossing. New access road immediately east of the existing road-over-rail bridge to the north of XC211 Newtown, tie in to existing local road to the east of XC211 Newtown;
- XC212 – Ballycoskery (Ballyhea Village) – Closure of existing level crossing. New road-over-rail bridge to tie into existing local road to east and west of level crossing, new car park to existing school. Tie into Beechwood Estate and Ballyhea National School to north and existing local road to south;
- XC215 – Shinanagh – Closure of existing level crossing. New access road to tie into existing road-over-rail bridge approximately 1km to the north; and
- XC219 – Buttevant – Closure of existing level crossing. Construction of a new road-over-rail bridge and tie in to existing regional road to east and west.

The application will be accompanied by documents including the following:

- a) A draft of the proposed Railway Order entitled the "Dublin to Cork Railway Line (Elimination and Upgrade) of Level Crossings between Limerick Junction and Mallow Order 2021";
- b) Plans of the proposed railway works;
- c) A book of reference to the plan (indicating the identity of the owners and of the occupiers of the lands described in the plan);
- d) A statement of the likely effects on the environment (an "Environmental Impact Assessment Report") of the proposed railway works;
- e) A Natura Impact Statement.

### Inspection of Draft Railway Order and Accompanying Documents

A copy of the Draft Railway Order and documents accompanying the application may be inspected during normal office or opening hours (with the exception of Charleville Station where viewings will be made by appointment via the project email address [cllc@irishrail.ie](mailto:cllc@irishrail.ie) or by calling 01 7034451) from the 28th May 2021 for the duration of 6 weeks until 9th July 2021 at:

- An Bord Pleanála, 64 Marlborough Street, Dublin, D01 V902
- Limerick City and County Council, Dooradoyle Road, Dooradoyle, Limerick, V94 WV78
- Cork County Council, County Hall, Carrigrohane Road, Cork, T12 R2NC
- Iarnród Éireann, Charleville Station, Railway Road, Charleville, Co. Cork, P56 C654

These documents may also be viewed at [www.irishrail.ie/CorkLineLevelCrossings](http://www.irishrail.ie/CorkLineLevelCrossings)

### Purchase of Documents

Copies or extracts from the documents which accompanied the application, including the Environment Impact Assessment Report, the Non-Technical Summary of same and the Natura Impact Statement, may be purchased on payment of a fee not exceeding the reasonable cost of making such copy or extract from:

- Cork Line Level Crossings Project, C/O Jacobs, Mahon Industrial Estate, Blackrock, Cork, T12 HY54
- An Bord Pleanála, 64 Marlborough Street, Dublin, D01 V902
- Limerick City and County Council, Dooradoyle Road, Dooradoyle, Limerick, V94 WV78
- Cork County Council, County Hall, Carrigrohane Road, Cork, T12 R2NC

### Written Submissions

An Bord Pleanála will consider any submissions in relation to the proposed Railway Order or in relation to the likely effects on the environment and the likely significant effects in the area concerned on European Sites, if any, of the proposed railway works which are submitted in writing to it by any person and accompanied by a fee of €50 (This fee is not payable by certain prescribed bodies or by persons whose lands may be acquired under the order). Submissions must be lodged no later than 5.30 p.m. on the 9th July 2021 and must be addressed to An Bord Pleanála, 64 Marlborough Street, Dublin 1 and marked "Dublin to Cork Railway Line (Elimination and Upgrade) of Level Crossings between Limerick Junction and Mallow Order 2021"

### Oral Hearing

An Bord Pleanála may at its absolute discretion hold an oral hearing into the application for a Railway Order.

### Judicial Review

A person may question the validity of any such decision by An Bord Pleanála may make by way of an application for judicial review in accordance with section 47 and 47A of the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) and under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986 as amended) and practical information on the review mechanism can be accessed under the heading 'Publications – Judicial Review Notice' on the Board's website [www.pleanala.ie](http://www.pleanala.ie) or on the Citizen's Information website [www.citizensinformation.ie](http://www.citizensinformation.ie)

Geraldine Finucane,  
Secretary to the Board of Córas Iompair Éireann,  
Heuston Station, Dublin 8

Dated this 5th May 2021

Further information is available from:

Cork Line Level Crossings Project, C/O Jacobs, Mahon Industrial Estate, Blackrock, Cork, T12 HY54

E-mail: [cllc@irishrail.ie](mailto:cllc@irishrail.ie)

Web: [www.irishrail.ie/CorkLineLevelCrossings](http://www.irishrail.ie/CorkLineLevelCrossings)